

**ST. CLAIR TOWNSHIP  
COUNCIL MINUTES  
SESSION # 28**

St. Clair Civic Centre  
Council Chambers  
December 20, 2010  
7:00 p.m.

The regular semi-monthly meeting of the Council of the Corporation of the Township of St. Clair was held this evening with the following members present:

	S. Arnold	Mayor
	P. Gilliland,	Deputy Mayor
	P. Carswell-Alexander,	Councillor
	D. Randell,	“
	S. Miller,	“
	J. Agar,	“
Staff:	J. Rodey,	CAO
	J. DeMars,	Director of Administration/Clerk/ Deputy CAO
	J. Baranek	Deputy Clerk/Coordinator of Planning
Absent:	J. DeGurse	Councillor

**AGENDA:**

**Declaration of Conflict of Interest:**

**Adopt Minutes:**

Inaugural meeting minutes of Council December 6, 2010  
Finance and Administration meeting minutes of December 13, 2010  
Public Work and Operations meeting minutes of December 13, 2010  
Council meeting minutes of December 13, 2010  
Sombra Museum minutes of November 18, 2010  
Moore Museum minutes of November 3, 2010

**Business Arising from the Minutes:**

**DEPUTATIONS AND APPOINTMENTS:**

7:15 pm Enbridge Gas – St. Clair River crossing  
7:30 pm Krista and Dan Turner  
7:45 pm Lafarge – use of property on east side of St. Clair Parkway

**CORRESPONDENCE:**

- a) Meadowview Villa Auxiliary – grant request
- b) Property Standards – 2662 Burman Line
- c) Property Standards – Petrolia Line
- d) Krista and Dan Turner – fence report

**INFORMATION:**

- 1) Heart & Stroke – January 28<sup>th</sup> invitation
- 2) OGRA – CRTC public hearing
- 3) St. Clair River Trail – November 25, 2010 minutes
- 4) Corunna Community Policing- December 7, 2010 minutes
- 5) VON – grant request
- 6) County of Lambton – November 24, 2010 highlights
- 7) St. Joseph’s Hospice – invitation

**DRAINS:**

**REPORTS OF COMMITTEES AND OFFICERS:**

**PROPERTY STANDARDS OFFICER:**

December 16, 2010 status report

**COORDINATOR OF OPERATIONS (ROADS & DRAINAGE) REPORT:**

Equipment quote results

**TREASURER'S REPORT:**

2011 OMPF

**DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:**

Proposed Shell shutdown facility  
Provident berming requirement

**CLERK'S REPORT:**

2010 Elections – accessibility

**CAO'S REPORT:**

**MOTIONS:**

**BY-LAWS:**

**COUNCILLORS REPORTS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Insurance renewal meeting date

**UPCOMING MEETINGS:**

February 21, 2010 – Regular Meeting of Council (Family Day Holiday)

**ADJOURNMENT:**

The Mayor called the meeting to order at 7:00 p.m. and asked members of Council to declare any possible conflicts of interest at the appropriate time.

**DECLARATION OF CONFLICT OF INTEREST:**

None declared.

**MINUTES:**

Council proceeded to review the minutes as listed on the agenda.

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #1:** That the minutes of the Council meetings held November 22, 2010 – Session #25 and December 6, 2010 Session #26 and December 13, 2010 Session #27 be adopted as printed and circulated.

**CARRIED**

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Mayor Arnold requested the status of the Gerry Mullin tree trimming request and Councillor Randell asked about the results of the investigation regarding the possibility of fuel tanks being installed on Township property in Brigden. Council was advised that these two issues would be investigated by staff.

Moved by D. Randell

Seconded by S. Miller

**Motion #2:** That the minutes of the Finance and Administration Meetings held December 13, 2010 be adopted as printed and circulated.

**CARRIED**

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #3:** That the minutes of the Public Works and Operations Meeting held December 13, 2010 be adopted as printed and circulated.

**CARRIED**

Moved by P. Gilliland

Seconded by D. Randell

**Motion #4:** That the minutes of the Sombra Museum meeting held November 18, 2010 be adopted as printed and circulated.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #5:** That the minutes of the Moore Museum meeting held November 3, 2010 be adopted as printed and circulated.

**CARRIED**

**CORRESPONDENCE:**

Council proceeded to review the correspondence as listed on the agenda.

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #6:** That a grant be provided to the Meadowview Villa Auxiliary to sponsor a social event for the residence at the same financial level as the 2010 donation.

**CARRIED**

Moved by P. Gilliland

Seconded by S. Miller

**Motion #7:** That the property standards issue relative to property known as 2662 Burman Line be referred to the Property Standards Officer for investigation and a report.

**CARRIED**

Council was advised that the property standards issue relative to the Petrolia Line property has been resolved by the property owner.

Moved by D. Randell

Seconded by P. Gilliland

**Motion #8:** That the following correspondence be received and dealt with as per Council's instructions as noted:

- a. Meadowview Villas Auxiliary – grant request  
**Inst.** See motion #6
- b. Property Standards – 2662 Burman Line  
**Inst.** See motion #7
- c. Property Standards – Petrolia Line  
**Inst.** cancelled
- d. Krista and Dan Turner – fence report  
**Inst.** See motion #12

**CARRIED**

In review of the information correspondence, Mayor Arnold advised that he plans to attend the Heart and Stroke breakfast scheduled for Friday January 28, 2011.

Moved by D. Randell

Seconded by S. Miller

**Motion #9:** That the request for grant donation received from the VON be referred to budget deliberations.

**CARRIED**

In review of the minutes of the recent meeting of the St. Clair River Trail Committee, Deputy Mayor Gilliland advised that there was some discussion at the meeting as to the relatively poor quality of the recently installed river trail in the Sombra area. Deputy Mayor Gilliland was curious if the Township had provided inspection services to this project.

**REPORTS OF COMMITTEES AND OFFICERS:**

**PROPERTY STANDARDS OFFICER REPORT:**

Council reviewed the report of the Property Standards Officer dated September 16<sup>th</sup> 2010. Councillor Agar asked for a status report on the outstanding property standards issue on property on the Courtright Line in Brigden.

Moved by P. Gilliland

Seconded by J. Agar

**Motion #10:** That the Property Standards Officer be instructed to remove the trailer from property known as 215 Cameron Street, Corunna and further that additional time for compliance be granted to the owners of property known as 748 St. Clair Parkway.

**CARRIED**

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #11:** That the report received from the Property Standards Officer dated December 16, 2010 be received as information and recommendations contained within be accepted.

**CARRIED**

At the appointed time, Mayor Arnold on behalf of Council welcomed Mr. Brian Black and Mr. Ken Hall of Enbridge Pipelines Inc. present to discuss with Council Enbridge's plans to replace the St. River crossing portion of pipeline 6B. Mr. Black stated that this replacement was necessitated by the discovery of a dent in the pipeline which was probably present when the pipe was initially installed in 1969. Mr. Black outlined Enbridge's pipeline inspection techniques and protocols that are used on the entire Enbridge system. Mr. Black stated that the pipeline replacement project would start in January 2011 with completion in the spring of 2011. In response to Council's questions, Mr. Hall advised that all residence of the community in Froomfield have been contacted personally by himself and other Enbridge representatives and that every effort will be made to mitigate any issues that the pipeline construction may have on the area residents. Also in response to Council's questions, Mr. Hall advised the project will use as much local labor and materials as possible in this pipeline project. At the conclusion of the presentation, Mayor Arnold on behalf of Council thanked Mr. Black and Mr. Hall for their informative presentation.

Krista and Dan Turner, owners of property known as 599 Maple Drive, Corunna who were present to discuss with Council the fact that they have installed a solid board wooden fence on two sides of their property with one side being adjacent to Parkdale Park. It was determined by a recent survey that the fence seems to be on Township property approximately 3 to 5 inches in certain circumstances. Mr. and Mrs. Tuner by way of their letter addressed to Council dated December 15, 2010 are requesting Council consideration for an encroachment agreement that would legitimize the fence in its current location and consider a development agreement amendment that would allow for the wooden fence in lieu of the originally prescribed chain link fence. Mr. and Mrs. Turner advised that they would be prepared to assume maintenance responsibility of the wood fence. At the conclusion of the discussion and after several questions posed by Council were answered, the Clerk advised that Council could by by-law enter into an encroachment agreement with Mr. and Mrs. Turner that would allow for the current placement of the fence but suggested that any such by-law and agreement should be registered on title as information to subsequent owners of the Turner property. At the conclusion of the discussion, it was

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #12:** That the Clerk be instructed to draft a by-law and encroachment agreement to allow the fence constructed at property known as 599 Maple Drive to remain in its current location.

**CARRIED**

There was no one present at the appointed time from LaFarge to discuss the use by LaFarge the property on the east side of St. Clair Parkway for granular material storage. However, Council did review the email received from Brad Courtney from LaFarge explaining the need to use the subject property on a temporary basis and outlining a time line for the materials removal estimated to be no later than January 7, 2011. After considerable discussion it was,

Moved by P. Gilliland

Seconded by S. Miller

**Motion #13:** That the Clerk be authorized to deal with the issue of the granular stock piling on property adjacent to the LaFarge dock in Courtright located on the east side of the St. Clair Parkway.

**CARRIED**

**COORDINATOR OF OPERATIONS (ROADS/DRAINAGE) REPORT:**

Moved by S. Miller

Seconded by D. Randell

**Motion #14:** That the report submitted by the Coordinator of Operations (Works) dated December 15, 2010 recommending that the quote of \$297,872.52 (excluding trade in allowance) be approved for the purchase of a 2012 International Tandem Axle Diesel Truck with Snow Plow Equipment, Combination Dump body/Sand Salt Spreader and Flat Bed, to be paid from the 2011 Capital Budget be received and accepted.

**CARRIED**

**TREASURER'S REPORT:**

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #15:** That the report received from the Treasurer date December 15, 2010 recommending that the 2011 Ontario Municipal Partnership fund allocation of \$1,172,900 be received and accepted.

**CARRIED**

**DEPUTY CLERK/COORDINATOR OF PLANNING REPORT:**

Council reviewed Mr. Baranek's report on the forthcoming Shell shutdown as well as the Provident energy berming requirement.

Moved by P. Gilliland

Seconded by J. Agar

**Motion #16:** That Council directs staff to incorporate a timeline into the site plan amendment which would provide a period for Shell to have a proposed parking lot paved with proper drainage and storm retention; and, to establish a two year timeline for Shell to use holding tanks for the sanitary waste until such time as a sewer is extended to Froomfield and Shell can connect.

**CARRIED**

Moved by P. Gilliland

Seconded by S. Miller

**Motion #17:** That the report received from the Deputy Clerk/Coordinator of Planning, Jeff Baranek dated December 16, 2010 recommending that Council requires a berm along the west lot line from Hill Street to the north end of the rail rack and one along Hill Street be received and accepted.

**CARRIED**

**CLERK'S REPORT:**

Council reviewed the Clerk's report on the issue of the 2010 Municipal Election accessibility.

Moved by J. Agar

Seconded by P. Carswell-Alexander

**Motion #18:** That the report received from the Clerk dated December 13, 2010 regarding the Election 2010 accessibility be received and accepted as information.

**CARRIED**

**BY-LAWS:**

Moved by D. Randell

Seconded by S. Miller

**Motion #19:** That By-law #60 of 2010 regarding Council remuneration be given the necessary three readings, signed by the Mayor and Clerk, the Corporate Seal affixed thereto and finally passed.

**CARRIED**

**COUNCILLORS REPORTS:**

**Pat Carswell-Alexander**

Councillor Carswell-Alexander led Council into a discussion of the previous issue of leakage from trucks that are entering the Clean Harbors facilities and what remedial action has been carried out or is planned to be carried out by owners of trucks using the facility.

Moved by P. Carswell-Alexander

Seconded by J. Agar

**Motion #20:** That the Township's environmental solicitor Peter Pickfield be instructed to contact Clean Harbors with a request for information how tailgate leakage is being mitigated or what other types of equipment can be used in bringing material to the site to eliminate this issue and further a request for a report on the October 2010 fire at the site.

**CARRIED**

Moved by P. Carswell-Alexander

Seconded by D. Randell

**Motion #21:** That Public Works staff be instructed to place school bus warning signs on the Rokeby Line at the Baby Creek Drain crossing in both directions.

**CARRIED**

Moved by D. Randell

Seconded by S. Miller

**Motion #22:** That the report of the Director of Emergency Services/Fire Chief regarding St. Clair Township's response to the winter storm emergency on December 12 – 14, 2010 be received as information.

**CARRIED**

**Steve Arnold**

Mayor Arnold expressed to his fellow Councilors and Staff his appreciation on staff efforts made during the recent winter storm emergency in Lambton County particularly the Public Works crews and the Emergency Services Department. Mayor Arnold also wished members of Council and Staff a Merry Christmas and a Happy New Year.

**UPCOMING MEETINGS:**

Council directed that the general insurance meeting be held Monday January 17<sup>th</sup>, 2011 with the regularly scheduled meeting of Council to commence at 5:00pm. Also, in view of the February 21st Family Day holiday, the regularly scheduled meeting of Council has been moved to Tuesday February 22<sup>nd</sup>, 2011. Upcoming meetings of Council, Committee of the Whole and meeting of

Committee of the Whole followed by Council ~ Monday January 10, 2011 - 6:00 p.m.

Special Meeting of Council ~ Thursday January 13, 2011 - 6:00 p.m.

Council ~ Monday January 17, 2011 - 5:00 p.m.

Committee of the Whole and Council ~ Monday February 14, 2011 - 6:00 p.m.

Council ~ Tuesday February 22, 2011 – 7:00 p.m.

Hearing no further business, it was;

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**ADJOURNMENT:**

Moved by S. Miller  
That the meeting do hereby adjourn.

Seconded by D. Randell

**CARRIED**

The meeting adjourned at 8:40p.m.

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MAYOR

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CLERK